

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
AT LAW AND IN ADMIRALTY

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

APPROXIMATELY \$13,800.00 IN UNITED  
STATES CURRENCY FROM TD BANK  
ACCOUNT ENDING IN 8567,

Defendant.

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**VERIFIED COMPLAINT FOR CIVIL FORFEITURE IN REM**

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The United States of America, by its attorneys, Matthew D. Krueger, United States Attorney for the Eastern District of Wisconsin, and Scott J. Campbell, Assistant United States Attorney for this district, alleges the following in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

**Nature of the Action**

1. This is a civil action to forfeit property to the United States of America for violations of Title 18, United States Code, Section 1343.

**The Defendant In Rem**

2. The defendant approximately \$13,800.00 in United States currency was seized on or about February 15, 2019, when the United States Secret Service received a check in that amount from TD Bank, following the Secret Service's execution of seizure warrant #18-958M, on the bank, on December 14, 2018, in West Palm Beach, Florida.

3. United States Magistrate Judge Nancy Joseph of the Eastern District of Wisconsin had issued that warrant on December 14, 2018. The warrant authorized the seizure of \$13,800 from TD Bank account ending in 8567, held in the name of Easy Freight Shippers LLC.

4. The defendant property was seized in Mt. Laurel, New Jersey, and is presently in the custody of the United States Secret Service in Milwaukee, Wisconsin.

### **Jurisdiction and Venue**

5. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

6. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. § 1355(b).

7. Venue is proper in this district under 28 U.S.C. § 1355(b)(1) because the acts or omissions giving rise to the forfeiture occurred, in part, in this district.

### **Basis for Forfeiture**

8. The defendant property is subject to forfeiture under Title 18, United States Code, Sections 981(a)(1)(C) and 984, because it constitutes or was derived from proceeds traceable to an offense constituting “specified unlawful activity” – as defined in Title 18, United States Code, Section 1956(c)(7), with reference to Title 18, United States Code, Section 1961(1) – namely, wire fraud, committed in violation of Title 18, United States Code, Section 1343.

### **Facts**

#### **Background**

9. According to an August 15, 2011 press release issued by the Federal Bureau of Investigation, online vehicle shoppers are being victimized by fraudulent online sales schemes in

which the lister offers a vehicle for sale, and induces the victim to pay for the vehicle, but never delivers the vehicle to the victim. The seller attempts to add credibility to the sale by misusing the names of reputable companies and programs to complete the sale.

10. Fraudulent online sales on e-commerce platforms often involve expensive items such as cars, boats, recreation vehicles, and heavy construction equipment because fraudulently offering more expensive items for sale as a part of a fraud scheme offers the fraudster the potential of realizing a larger financial gain from the fraud.

11. Heavy-equipment fraud schemes typically have the following characteristics: the item is usually listed for sale at a relatively low price and the seller wants to conduct business via bank wire transfers. The seller sometimes offers free shipping to the buyer.

12. EBay provides buyer protection only for vehicles purchased on their e-commerce website – but not for purchases made via a different e-commerce website such as Craigslist. For that reason, EBay advises on its website that if a Craigslist or a non-eBay seller “promises” the eBay protection plan for a sale not made via Ebay, that offer is fraudulent.

#### **Opening of TD Bank account ending in 8567**

13. TD Bank account ending in 8567 (“TD 8567”) was opened on or about October 1, 2018, in North Miami, Florida.

14. The sole account holder of TD 8567 is Easy Freight Shippers LLC, 333 SE 2<sup>nd</sup> Avenue, Suite 2000, Miami, Florida.

#### **November 5, 2018 wire transfer of \$13,800.00 to TD 8567**

15. On or about November 2, 2018, a victim having the initials “R.P.,” who resides in the Eastern District of Wisconsin, saw an excavator for sale on the e-commerce website Craigslist.

16. R.P. is an owner of the company having the initials “S.R.K.P.S.,” which is located in the Eastern District of Wisconsin. S.R.K.P.S. uses excavation equipment when performing certain services for its customers.

17. R.P. sent an email to the seller of the excavator that was listed for sale on Craigslist.

18. The seller of the excavator replied to R.P. with an email identifying herself as “Anna” and stated that she was selling a 2014 Caterpillar 304E excavator for \$13,800.00.

19. In her email, “Anna” told R.P. the following:

- A. A trailer was included with the excavator.
- B. “Anna” was selling the excavator because “Anna’s” husband had died and “Anna” had throat cancer.
- C. The excavator was in Sioux City, Iowa.
- D. The excavator would be shipped to R.P. free of charge.
- E. “Anna” had signed a contract with eBay to take care of selling the excavator.
- F. The buyer of the excavator would have a five-day inspection period, and if the buyer decided not to buy the excavator, the buyer could ask for a refund.

20. Based, among other things, on the false and fraudulent representations in “Anna’s” email set forth in paragraph 19, R.P. agreed to buy the excavator. R.P. then received a spoofed eBay email that included the following:

- A. A copy of the eBay buyer protection plan.
- B. Invoice No. 186943726839 issued to R.P. in the amount of \$13,800.00 for purchase of the excavator.
- C. Instructions stating that R.P. must pay for the excavator through a bank wire transfer to TD 8567.

D. A customer support number of (888) 520-3229.

21. On November 5, 2018, based on the false and fraudulent representations set forth in paragraphs 18 through 20, R.P. wire transferred \$13,800.00, from R.P.'s business account held at a Tri City National Bank branch located in Hales Corners, Wisconsin, to TD 8567 as payment for the excavator.

22. Between November 5, 2018, and at least April 4, 2019, R.P. has not received the excavator and "Anna" has not repaid R.P. any money.

23. R.P. was the victim of a fraud scam.

24. The \$13,800.00 that R.P. wire transferred to TD 8567 on November 5, 2018, constituted proceeds of that fraud scam.

25. The defendant property constitutes or is traceable to R.P.'s November 5, 2018 wire transfer of \$13,800.00 to TD 8567.

#### **Investigation into Anna C. and (888) 520-3229**

26. Anna C. of 27XX S. Paxton St., Sioux City, Iowa – the person believed to be the fraudulent seller of the alleged excavator to R.P. – has numerous fraud reports filed in relation to the online sale of heavy equipment through eBay.

27. The eBay Customer Support number (888) 520-3229, referenced in paragraph 20, had numerous fraud reports in which buyers were scammed out of money for the purchases of motor equipment on eBay and Craigslist.

#### **Warrant for Arrest In Rem**

28. Upon the filing of this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the defendant property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

### **Claim for Relief**

29. The plaintiff repeats and incorporates by reference the paragraphs above.

30. By the foregoing and other acts, the defendant property constitutes or was derived from proceeds traceable to specified unlawful activity, namely, wire fraud, committed in violation of Title 18, United States Code, Section 1343, and is therefore subject to forfeiture to the United States of America under Title 18, United States Code, Sections 981(a)(1)(C) and 984, with cross-references to Title 18, United States Code, Sections 1956(c)(7) and 1961(1).

WHEREFORE, the United States of America prays that a warrant of arrest for the defendant property, approximately \$13,800.00 in United States currency from TD Bank account ending in 8567, be issued; that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed; that judgment declare the defendant property to be condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court may deem just and equitable, together with the costs and disbursements of this action.

Dated at Milwaukee, Wisconsin, this 4<sup>th</sup> day of April, 2019.

Respectfully submitted,

MATTHEW D. KRUEGER  
United States Attorney

By:

s/SCOTT J. CAMPBELL  
SCOTT J. CAMPBELL  
Assistant United States Attorney  
Scott J. Campbell Bar Number: 1017721  
Attorney for Plaintiff  
Office of the United States Attorney  
Eastern District of Wisconsin  
517 East Wisconsin Avenue, Room 530  
Milwaukee, Wisconsin 53202  
Telephone: (414) 297-1700

Fax: (414) 297-1738

E-Mail: [scott.campbell@usdoj.gov](mailto:scott.campbell@usdoj.gov)

### Verification

I, Jason Vanderwerff, hereby verify and declare under penalty of perjury that I am a Detective with the West Allis Police Department, currently assigned to the United States Secret Service Milwaukee Resident Office Financial Crimes Task Force ("MFCTF"), that I have read the foregoing Verified Complaint for Civil Forfeiture *in rem* and know the contents thereof, and that the factual matters contained in paragraphs 9 through 27 of the Verified Complaint are true to my own knowledge.

The sources of my knowledge are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Detective with the MFCTF.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Date: 4-4-19

s/JASON VANDERWERFF  
Jason Vanderwerff  
Detective  
United States Secret Service Milwaukee Resident  
Office Financial Crimes Task Force



## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

Place an "X" in the appropriate box: ☐ Green Bay Division ☒ Milwaukee Division

## I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Scott J. Campbell, AUSA  
US Attorney's Office, #530 Federal Building  
517 E. Wisconsin Avenue, Milwaukee, WI 53202 (414-297-1700)

## DEFENDANTS

APPROXIMATELY \$13,800.00 IN UNITED STATES CURRENCY  
FROM TD BANK ACCOUNT ENDING IN 8567

County of Residence of First Listed Defendant Burlington, New Jersey  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input checked="" type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIW W (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education <b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
18 U.S.C. §§ 981(a)(1)(C) and 984  
Brief description of cause:

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$**

CHECK YES only if demanded in complaint:  
**JURY DEMAND:** ☐ Yes ☒ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY OF RECORD

04/04/2019

s/SCOTT J. CAMPBELL

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

Case 2:19-cv-00489 Filed 04/04/19

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JUDGE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
AT LAW AND IN ADMIRALTY

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

APPROXIMATELY \$13,800.00 IN UNITED  
STATES CURRENCY FROM TD BANK  
ACCOUNT ENDING IN 8567,

Defendant.

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**WARRANT FOR ARREST IN REM**

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To: THE UNITED STATES SECRET SERVICE  
Eastern District of Wisconsin

WHEREAS, a Verified Complaint for Civil Forfeiture *in rem* was filed on the 4<sup>th</sup> day of April, 2019, by the United States Attorney for the Eastern District of Wisconsin, which seeks the forfeiture of the above-named defendant pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 984, and which prays that process issue to enforce the forfeiture and to give notice to all interested parties to appear before the court and show cause why the forfeiture should not be decreed; and due proceedings being had, that the defendant property be condemned and forfeited to the use of the United States of America.

YOU ARE THEREFORE HEREBY COMMANDED to attach and arrest the defendant property, approximately \$13,800.00 in United States currency, which was seized on or about February 15, 2019, from TD Bank account ending in 8567 held in the name of Easy Freight Shippers LLC, and which is presently in the custody of the United States Secret Service in

Milwaukee, Wisconsin, in the Eastern District of Wisconsin, and to detain the same until further order of this Court.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019, at Milwaukee, Wisconsin.

STEPHEN C. DRIES  
Clerk of Court

By:

\_\_\_\_\_  
Deputy Clerk

**Return**

This warrant was received and executed with the arrest of the above-named defendant.

Date warrant received: \_\_\_\_\_

Date warrant executed: \_\_\_\_\_

Name and title of arresting officer: \_\_\_\_\_

Signature of arresting officer: \_\_\_\_\_

Date: \_\_\_\_\_